

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
	:	CRIMINAL ACTION
	:	No. 02-260
v.	:	
	:	
	:	
WILLIAM MCGRUDER	:	

EXPLANATION & ORDER

William McGruder moves for early termination of his supervised release after successfully rebuilding his life. When Mr. McGruder was 26 years old, he was arrested for selling crack cocaine and illegal firearms. He was sentenced to 20 years in prison and spent over 15 years incarcerated. In 2019, he was released pursuant to the First Step Act.¹ He then began his 10-year period of supervised release. After satisfactorily completing 6 years of supervised release, Mr. McGruder now moves to terminate the remainder of his term.

Over the last 6 years, Mr. McGruder has readjusted to life outside of prison so well that the Probation Office only requires him to meet with an officer once a month, online. Since his release, Mr. McGruder has steadily rebuilt his life. He has a full-time job as a home health care aide and a stable home with his wife and children in Philadelphia. In an effort to better support himself and his family, Mr. McGruder obtained his commercial driver's license in 2020, subsequently purchased a truck, and started his own trucking company. On top of his full-time job, Mr.

¹ The First Step Act of 2018 made retroactive the changes in the Fair Sentencing Act of 2010 to the statutory penalties for cocaine base offenses. Under the amendment, the statutory mandatory minimum prison sentence for Mr. McGruder's crime was reduced to 10 years under 21 U.S.C. § 841(b)(1)(B).

McGruder works part-time making local deliveries. Now, Mr. McGruder wishes to pursue a more lucrative career as a long-haul truck driver. The requirement that he report to a probation officer every time he crosses state lines is holding him back.

I. LEGAL STANDARD

In June 2025, the United States Supreme Court, in an opinion authored by Justice Amy Coney Barrett,² held that a district court must not consider “retribution for the defendant’s underlying crime” when revoking a term of supervised release. *Esteras v. United States*, 145 S. Ct. 2031, 2040 (2025). Instead, “a court must consider the *forward-looking* ends of sentencing (deterrence, incapacitation, and rehabilitation)” when imposing, revoking, or terminating a term of supervised release.³ *Id.* at 2041.

A court’s ability to terminate supervised release is governed by 18 U.S.C. § 3583(e)(1). The statute references an enumerated list of sentencing factors from 18 U.S.C. § 3553(a) that a court should consider when reviewing a motion for early termination of supervised release, including:

(1) the nature and circumstances of the offense and the defendant’s history and characteristics; (2) the need to afford adequate deterrence to criminal conduct, protect the public from further crimes of the defendant, and provide him with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner; (3) the kinds of sentence and sentencing range established for the defendant’s crimes; (4) pertinent policy statements issued by the United States Sentencing Commission; (5) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and (6) the need to provide restitution to any victims of the offense.

² The opinion was joined by Chief Justice Roberts, and Justices Thomas, Kagan, and Kavanaugh. Justices Sotomayor and Jackson joined as to all but Part II-B. Justice Sotomayor filed a concurrence joined by Justice Jackson. Justice Alito filed a dissenting opinion joined by Justice Gorsuch.

³ Although revoking supervised release was at issue in *Esteras*, the rationale of the case extends to terminating supervised release as well. The same list of factors applies when a district court terminates supervised release early as when a court revokes supervised release. *See id.* at 2039 n.5.

18 U.S.C. § 3553(a). Conspicuously omitted from this list is the sentencing factor § 3553(a)(2)(A): “the need for the sentence imposed to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense.”

In *Esteras*, the Supreme Court explained that the factors in § 3553(a)(2) generally reflect the four purposes of criminal sentencing: retribution, deterrence, incapacitation, and rehabilitation. 145 S. Ct. at 2038. § 3553(a)(2)(A) concerns the retributive purpose of sentencing. *Id.* at 2039. That Congress omitted this factor from the statute governing supervised release “comports with the role of supervised release in our current criminal justice scheme.” *Id.* at 2041. The Supreme Court articulated that “[s]upervised release...is not a punishment in lieu of incarceration” but “fulfills rehabilitative ends and provides individuals with postconfinement assistance[.]” affirming that the purpose of supervised release is to set up an individual for future success, not punish an individual for their past. *Id.* (citations omitted).

A court can terminate supervised release early “if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). “The expansive phrases ‘conduct of the defendant’ and ‘interest of justice’ make clear that a district court enjoys discretion to consider a wide range of circumstances when determining whether to grant early termination.” *United States v. Melvin*, 978 F.3d 49, 52 (3d Cir. 2020) (citation omitted). District courts must consider the sentencing factors when reviewing a motion to terminate supervised release, but they are not required to make specific findings of fact as to each of the factors. *Id.* at 52–53.

II. APPLICATION OF THE LEGAL STANDARD

The relevant § 3553(a) factors, the conduct and needs of Mr. McGruder, and the interest of justice, warrant Mr. McGruder’s early termination. Under *United States v. Murray*, “the primary

purpose of supervised release is to facilitate the integration of offenders back into the community rather than to punish them.” 692 F.3d 273, 280 (3d Cir. 2012). Mr. McGruder’s employment as well as the family and community support he enjoys indicate his successful reintegration.⁴ He lives with his wife and children, is employed full-time as a home health care aide, has obtained a commercial driver’s license, and has set up his own trucking company, Apex Trucking LLC. Defendant’s Motion for Early Termination of Supervised Release (“Def. Mot.”), ECF No. 212, at 5.

Mr. McGruder believes that his income would dramatically increase if he were to work full-time as a long-haul truck driver making interstate deliveries. *Id.* The difficulty of reporting to a probation officer every time he crosses state lines is holding him back from pursuing this career change. *Id.* At oral argument, Mr. McGruder confirmed that his family and friends currently employed in the long-haul trucking industry are willing to assist him to enter the field.⁵

Because the Probation Office has classified him as a low-risk offender, it requires Mr. McGruder to report online, once a month. *Id.* Neither the Government nor the Probation Office has presented facts that would show that Mr. McGruder’s remaining scheduled appointments would contribute to either prevent re-offense or provide him with training or care. Mr. McGruder poses no risk to his community. He has served 6 years of supervised release without any criminal conduct. The fact that Mr. McGruder no longer needs supervision constitutes a success for himself

⁴ See ADMIN. OFFICE OF THE U.S. COURTS PROBATION & PRETRIAL SERVICES OFFICE, OVERVIEW OF PROBATION AND SUPERVISED RELEASE CONDITIONS 6 (2024) (“The primary focus of [supervised release] is to improve circumstances that are linked to criminal behavior or affect effective supervision (e.g., substance abuse, mental health, employment, education, and family and community support.”).

⁵ Oral Argument at 03:41, Hr’g on Mot. for Early Termination of Supervised Release, US v. McGruder, No. 02-CR-260 (E.D. Pa., Aug. 18, 2025).

and for the Probation Office. His conduct merits early termination of his term of supervised release.

III. OPPOSITION TO EARLY TERMINATION

The Government argues that Mr. McGruder's motion for early termination should be denied because of "the seriousness of the harms he caused to our community."⁶ At oral argument, the Government advocated for continuing Mr. McGruder's term of supervised release. They said:

[T]he amount of crack cocaine that was put on the street by the defendant is still wreaking havoc in people's lives. Addiction is incredibly hard to cure. And secondly, as this Court is well aware, firearms trafficked illegally cause immeasurable harm to this community. So, I suggest [...] it would not be too much to ask for the defendant to have to let his probation officer know when he's going to cross state lines.⁷

Mr. McGruder's probation officer also opposes early termination. At oral argument, he explained that the Probation Office will not support early termination in any case where the defendant "play[ed] an aggravated role in the offense of conviction particularly in large drug or fraud offenses."⁸ Neither of these arguments address the "*forward-looking ends*" of supervised release articulated in *Esteras*. 145 S. Ct. at 2041. Rather, these arguments center on retribution for Mr. McGruder's underlying crime.

A. The Statutory Mandatory Minimum

The Government also opposes Mr. McGruder's motion because his sentence included a mandatory minimum period of supervised release under 21 U.S.C. § 841(b)(1)(B) that has not been satisfied. Government's Opposition to Defendant's Motion ("Gov't Opp."), ECF No. 214, at 12. The issue of whether a court can terminate supervised release before a mandatory

⁶ *Id.* at 20:21.

⁷ *Id.* at 20:27-21:09.

⁸ *Id.* at 24:12.

minimum term is completed is undecided in the Third Circuit. Circuit courts that have addressed the issue have held that, regardless of a statutory mandate, courts are authorized to terminate supervised release if the criteria set forth in 18 U.S.C. § 3583(e)(1) are met. *United States v. Spinelle*, 41 F.3d 1056, 1060 (6th Cir. 1994); *United States v. Lester*, 92 F.4th 740, 743 (8th Cir. 2024); *Pope v. Perdue*, 889 F.3d 410, 414 (7th Cir. 2018).

In *Spinelle*, the Court explained that Congress recognizes “two separate chronological phases” of sentencing: the imposition of a sentence and post-sentence modification. 41 F.3d at 1060. When Congress required that courts impose a mandatory minimum term of supervised release on a defendant under § 841(b)(1), “it did not alter the court’s separate authority to *terminate* a sentence of supervised release...if the conduct of the person and the interest of justice warranted it.” *Id.*; *see also Lester*, 92 F.4th at 743. Accordingly, while § 841(b)(1) required the Court to impose a minimum term of supervised release at sentencing, the Court retains discretion to terminate Mr. McGruder’s supervised release early. *Spinelle*, 41 F.3d at 1060.

B. The Plea Agreement

Finally, the Government argues that the waiver of appeals or collateral attacks in Mr. McGruder’s plea agreement bars early termination. Its authority is *United States v. Damon*. 933 F.3d 269 (3d Cir. 2019) (holding that the appellate waiver in the defendant’s plea agreement barred his motion for early termination of supervised release); Gov’t Opp. at 6. A court must first examine the text of the plea agreement. *See Damon*, 933 F.3d at 272 (noting the “well-established principle that plea agreements, although arising in a criminal context, are analyzed under contract law standards. Thus, we begin our analysis as we would with any contract[.]”) (citation omitted).

The waiver in Mr. McGruder’s sentencing agreement states that he: “voluntarily and expressly waives all rights to appeal or collaterally attack [his] conviction, sentence, or any other matter relating to this prosecution...” Sentencing Agreement ¶ 3. In *Damon*, the defendant waived “the right to file any appeal, any collateral attack, or any other writ or motion...which challenges the sentence imposed.” 933 F.3d at 271. The plea agreement in *Damon* also stated that: “in addition to imposing any other penalty on Ronald Damon, the sentencing judge...pursuant to 21 U.S.C. § 841, must require Ronald Damon to serve a term of supervised release of at least 5 years[.]” *Id.* Mr. McGruder’s sentencing agreement stated that the parties would jointly recommend a sentence “at the applicable statutory mandatory minimum of 240 months.” Sentencing Agreement ¶ 1. His sentencing agreement made no mention of the length of supervised release to be imposed.

Conversely, Damon’s motion for early termination was barred because the sentencing portion of his plea agreement specified that he would serve a 5-year term of supervised release. 933 F.3d at 271. Damon argued that his motion for early termination of supervised release was “not a challenge to his sentence, but a motion filed in a separate chronological phase and in a different proceeding.” *Id.* at 274. The Third Circuit ruled that his argument was “unsupported by the text of the plea agreement and by any sound understanding of what is included in a sentence” because the length of his term of supervised release was contracted for in his plea agreement. *Id.* at 274-275.

The plea agreement in this case is different than the plea agreement at issue in *Damon*. Mr. McGruder did not contractually agree to a specific term of supervised release. Rather, he knew that a period of supervised release would be imposed by the judge at sentencing. Under § 3583(e)(1), a court could terminate his supervised release “after the expiration of one year of

supervised release...if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.”

Esteras contemplates the ongoing revision of conditions of supervised release. When imposing supervised release at sentencing, a court cannot always predict the support a defendant might need to be deterred, incapacitated or rehabilitated after release from prison. *See* 145 S. Ct. at 2041. To achieve the “*forward-looking*” ends of sentencing, a court must be able to modify conditions of supervised release as a defendant’s circumstances change.⁹ *Id.* Thus, post-sentence revocation, modification or termination of supervised release is not a challenge to the sentence imposed. Such modification of conditions is inherent to the rehabilitative purposes of supervised release.

Because Mr. McGruder did not agree to a specific length of supervised release in his sentencing agreement, the waiver provision does not bar his motion for early termination.

IV. CONCLUSION

In general, courts are in a better position to determine whether conditions of supervised release are necessary to support a defendant’s rehabilitation after a defendant is released from custody as opposed to at sentencing. Today, it is apparent that the efforts of Mr. McGruder and the Probation Office over the past 6 years have successfully facilitated Mr. McGruder’s reintegration into society. An additional term of supervision is no longer warranted.

⁹ *See* THE ARTHUR LIMAN CENTER FOR PUBLIC INTEREST LAW, YALE LAW SCHOOL, COLLECTING CONDITIONS: A SNAPSHOT OF SUPERVISED RELEASE IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT 19 (2025).

AND NOW, this 9th day of September, 2025, for the foregoing reasons, it is **ORDERED** that Mr. McGruder's Motion for Early Termination of Supervised Release (ECF No. 212) is **GRANTED**.

s/ ANITA B. BRODY, J.

ANITA B. BRODY, J.